

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEW MEXICO

REBECCA GONZALES,

Plaintiff,

v.

NO. 1:24-CV-0840 DLM

LELAND DUDEK,
Acting Commissioner of the Social Security
*Administration,*¹

Defendant.

ORDER GRANTING UNOPPOSED MOTION TO REMAND

THIS MATTER is before the Court on Defendant's unopposed motion to remand for further administrative proceeding pursuant to sentence four of 42 U.S.C. § 405(g) (Doc. 18), and Plaintiff's opposed motion for remand (Doc. 16). Both parties ask the Court for an order remanding this matter to the Commissioner for further administrative proceedings. (Docs. 16; 18.)

Pursuant to the power of this Court to enter a judgment affirming, modifying, or reversing the Commissioner's decision with remand in Social Security actions under sentence four of 42 U.S.C. § 405(g), and in light of the Commissioner's request for remand of this action for further proceedings, this Court hereby **DENIES** Plaintiff's motion as moot, **GRANTS** Defendant's motion, and **REVERSES** the Commissioner's decision under sentence four of 42 U.S.C. § 405(g)

¹ Leland Dudek is the Acting Commissioner of Social Security. Pursuant to Rule 25(d) of the Federal Rules of Civil Procedure, Leland Dudek should be substituted for Michelle King as the defendant in this suit. No further action need be taken to continue this suit by reason of the last sentence of section 205(g) of the Social Security Act, 42 U.S.C. § 405(g).

with a **REMAND** to the Commissioner for further administrative proceedings.² *See Shalala v. Schaefer*, 509 U.S. 292 (1993).

IT IS SO ORDERED.

A handwritten signature in blue ink, reading "Damian L. Martinez", with a stylized flourish at the end.

DAMIAN L. MARTINEZ
UNITED STATES MAGISTRATE JUDGE

² The Court will enter a separate judgment pursuant to Federal Rule of Civil Procedure 58.